## STATE PERSONNEL BOARD CALENDAR



**SEPTEMBER 23, 2003** 

SACRAMENTO, CALIFORNIA

#### State of California

#### Memorandum

DATE: September 12, 2003

TO: ALL INTERESTED PARTIES

FROM: STATE PERSONNEL BOARD -- Appeals Division

SUBJECT: Notice and Agenda for the September 23, 2003, meeting

of the State Personnel Board.

PLEASE TAKE NOTICE that on September 23, 2003, at the offices of the State Personnel Board, located at 801 Capitol Mall, Room 150, Sacramento, California, the State Personnel Board will hold its regularly scheduled meeting.

The attached Agenda provides a brief description of each item to be considered and lists the date and approximate time for discussion of the item.

Also noted is whether the item will be considered in closed or public session. Closed sessions are closed to members of the public. All discussions held in public sessions are open to those interested in attending. Interested members of the public who wish to address the Board on a public session item may request the opportunity to do so.

Should you wish to obtain a copy of any of the items considered in the public sessions for the September 23, 2003, meeting, please contact staff in the Secretariat's Office, State Personnel Board, 801 Capitol Mall, MS 22, Sacramento, CA 95814 or by calling (916) 653-0429 or TDD (916) 654-2360, or the Internet at: http://www.spb.ca.gov/calendar.htm

Notice and Agenda Page 2 September 12, 2003

Should you have any questions regarding this Notice and Agenda, please contact staff in the Secretariat's Office at the address or telephone numbers above.

CAROLE CHACKO Secretariat's Office

Attachment

# CALIFORNIA STATE PERSONNEL BOARD MEETING\* 801 Capitol Mall Sacramento, California

<u>Public Session Location</u> - Room 150 Closed Session Location - Room 141

MID-MONTH BOARD MEETING AGENDA\*\*

SEPTEMBER 23, 2003

#### PUBLIC SESSION OF THE STATE PERSONNEL BOARD

- 9:00 9:30 1. ROLL CALL
  - 2. REPORT OF THE EXECUTIVE OFFICER

Report of Walter Vaughn Executive Officer State Personnel Board

- 3. REPORT OF THE CHIEF COUNSEL
- 4. NEW BUSINESS (Items may be raised by Board Members for scheduling and discussion at future meetings.)

<sup>\*</sup>Sign Language Interpreter will be provided for Board Meeting upon request -- contact Secretariat at (916) 653-0429, or CALNET 453-0429, TDD (916) 654-2360.

<sup>\*\*</sup> The Agenda for the Board can be obtained at the following Internet address: http://www.spb.ca.gov/calendar.htm

#### 5. REPORT ON LEGISLATION

18653.]

#### CLOSED SESSION OF THE STATE PERSONNEL BOARD

9:30

6. DELIBERATION ON ADVERSE ACTION,
DISCRIMINATION COMPLAINT, AND OTHER PROPOSED
DECISIONS SUBMITTED BY ADMINISTRATIVE LAW
JUDGES
Deliberations on matter submitted at prior
hearing, on proposed decisions, petitions for
rehearing, rejected decisions, remanded
decisions, submitted decisions, and other
matters related to cases heard by
administrative law judges of the State
Personnel Board after formal hearing.
[Government Code Sections 11126 (d), and

7. PENDING LITIGATION

Conference with legal counsel to confer with and receive advice regarding pending litigation when discussion in open session would be prejudicial. [Government Code Sections 11126 (e) (1), 18653.]

State Personnel Board (SPB) v. Department of Personnel Administration (DPA)/International Union of Operating Engineers (IUOE) et al. (Sacramento County Superior Court Case No. 01CS00109)

Association of California State Attorneys and Administrative Law Judges v.

DPA/California Department of Forestry

Employees Association (AKA) CDF Firefighters

Court of Appeal, Third District No. C034943
(Sacramento County Superior Court
No. 99CS00260)

SPB v. DPA/Department of Forestry & Fire Protection et al; CDF Firefighters
Court of Appeal Case No. C032633
(Sacramento County Superior Court Case No. 98CS03314)

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IUOE v. SPB/Public Employee Relations Board
(PERB)

Unfair Practice Case No. SA-CE-1295-S

Connerly v. SPB

SPB v. DPA/California State Employees
Association (Post and Promote)

IUOE (Lunsford) v. State of California,
et al.

- 8. RECOMMENDATIONS TO THE LEGISLATURE Deliberations on recommendations to the Legislature. [Government Code Section 18653.]
- 9. REPORTS TO THE GOVERNOR
  Deliberations on recommendations to the
  Governor. [Government Code Section 18653.]

#### PUBLIC SESSION OF THE STATE PERSONNEL BOARD

#### On Adjournment:

10. DISCUSSION OF COMING BOARD MEETING SCHEDULE OF OCTOBER 7, 2003 IN SACRAMENTO, CALIFORNIA

#### **BOARD ACTIONS**

- 11. STATE PERSONNEL BOARD SUMMARY MINUTES OF SEPTEMBER 9, 2003
- 12. ACTION ON SUBMITTED ITEMS
- 13. ADMINISTRATIVE LAW JUDGE CASES

#### PROPOSED DECISIONS

CARLOS ADAMS, CASE NO. 03-0567 Appeal from ten percent reduction in salary for 12 months Correctional Lieutenant High Desert State Prison, Susanville Agenda - Page 4 September 23, 2003

Department of Corrections
TROY ALLEN, CASE NO. 03-1672
Appeal from ten percent reduction in salary for seven months
Caltrans Equipment Operator II
Department of Transportation

CONNIE ARMSTEAD, CASE NO. 01-2323E Appeal from denial of request for reasonable accommodation Office Assistant (Typing) California Highway Patrol

GERALD GIFFORD, CASE NO. 02-3192 AND JEFFREY HOLTZCLAW, CASE NO. 02-3538 Appeal from 20 working days suspension Correctional Officers High Desert State Prison Department of Corrections, Susanville

DORICE D. HIBINSKI, CASE NO. 03-1800 Appeal from formal reprimand Senior Psychiatric Technician Department of Mental Health

JOSEPH HOLLOWAY, Ph.D., CASE NO. 02-2170 Appeal from dismissal Professor California State University, Northridge

KENNETH LEVIN CASE NO. 02-3573 Appeal from demotion Chief Psychiatrist California Institution for Men, Chino Department of Corrections

DWIGHT MCGHEE, CASE NO. 03-0322 Appeal from official reprimand Correctional Sergeant Sierra Conservation Center, Jamestown Department of Corrections

DANIEL MILROY, CASE NO. 03-0415
Appeal from five percent salary reduction for six months
Correctional Officer
Centinela State Prison
Department of Corrections, Imperial

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JOHN RAMIREZ, CASE NO. 02-4397 30 calendar days suspension Correctional Officer Deuel Vocational Institution Department of Corrections, Tracy

NANCY VALENTINO, CASE NO. 03-0699 Appeal from dismissal Psychiatric Technician Department of Developmental Services

#### PETITIONS FOR REHEARING

DORYANNA ANDERSON-JOHNSON, CASE NO.00-1687 Appeal from denial of reasonable accommodation Correctional Lieutenant California Rehabilitation Center - Norco Department of Corrections Petition for rehearing filed by appellant and respondent to be granted or denied

STACEY GLASS-SMITH, CASE NO. 03-0247P Appeal from discrimination Staff Services Analyst (General) Department of Child Support Services Petition for rehearing filed by Department to be granted or denied

FRANK OLIVAS, CASE NO. 02-3390P
Appeal from demotion
Correctional Sergeant
Ironwood State Prison
Department of Corrections
Petition for rehearing filed by appellant to be granted or denied

- 14. RESOLUTION RE NOTICE OF GOVERNMENT CODE SECTION 18671.1 EXTENSION.
- 15. WITHHOLD APPEALS

  Cases would have been heard by a Staff

  Hearing Officer, a managerial staff member

  of the State Personnel Board or would have
  been investigated by Appeals Division staff.

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The Board will be presented recommendations by a Staff Hearing Officer or Appeals Division staff for final decision on each appeal.

DARREN AQUINO, CASE NO. 03-0588 Classification: Correctional Officer Department of Corrections

JOSEPH BARRETT, CASE NO. 03-0593 Classification: Correctional Officer Department of Corrections

KEVIN CAHILL, CASE NO. 02-4067 Classification: Youth Correctional Officer California Youth Authority

DORSEY CANTRELL, CASE NO. 03-0594 Classification: Youth Correctional Officer California Youth Authority

JOSEPH CASTELLANOZ, CASE NO. 03-0229 Classification: Correctional Officer Department of Corrections

LILLY CONNER, CASE NO. 02-3327 Classification: Cadet, CHP California Highway Patrol

PATRICK FLEGLER, CASE NO. 02-4160 Classification: Licensing Registration Examiner, DMV Department of Motor Vehicles

DAVID GUERRERO, CASE NO. 03-0146 Classification: Correctional Officer Department of Corrections

FLOYD HARDIN, CASE NO. 02-4029 Classification: Correctional Officer Department of Corrections

LLOYD HELTON, CASE NO. 02-4172 Classification: Youth Correctional Officer California Youth Authority Agenda - Page 7 September 23, 2003

BRUNO HERRERA, CASE NO. 02-4022 Classification: Correctional Officer Department of Corrections

CARLOS HINOJOSA, CASE NO. 03-0096 Classification: Medical Technical Assistant, CF Department of Corrections

RONALD HUGHES, CASE NO. 02-4369 Classification: Youth Correctional Counselor California Youth Authority

CHARLES JOLLY, CASE NO. 02-4368 Classification: Correctional Officer Department of Corrections

JAVIER MARTINEZ, CASE NO. 03-0649 Classification: Correctional Officer Department of Corrections

CHRISTIAN NUNEZ, CASE NO. 03-0473 Classification: Correctional Officer Department of Corrections

PHILLIP PENNINGTON, CASE NO. 03-0389 Classification: Medical Technical Assistant, CF Department of Corrections

#### 16. MEDICAL APPEALS

Cases would have been heard by a Staff Hearing Panel comprised of a managerial staff member of the State Personnel Board and a medical professional. The Board will be presented recommendations by a Hearing Panel on each appeal.

STEPHANIE MILLIKIN, CASE NO. 03-1019 Classification: Correctional Officer Department of Corrections

JASON MOSS, CASE NO. 03-1786 Classification: Correctional Officer Department of Corrections Agenda - Page 8 September 23, 2003

17. EXAMINATION APPEALS - NONE
MINIMUM QUALIFICATIONS - NONE
MERIT ISSUE COMPLAINTS - NONE
Cases would have been heard by a Staff
Hearing Officer, a managerial staff member
of the State Personnel Board or would have
been investigated by Appeals Division staff.

The Board will be presented recommendations by a Staff Hearing Officer or Appeals Division staff for final decision on each appeal.

- 18. RULE 212 OUT-OF-CLASS APPEALS NONE
  VOIDED APPOINTMENT APPEALS NONE
  RULE 211 APPEALS NONE
  Cases would have been heard by a Staff
  Hearing Officer, a managerial staff member
  of the State Personnel Board. The Board
  will be presented recommendations by a Staff
  Hearing Officer for final decision on each
  appeal.
- 19. REQUEST TO FILE CHARGES CASES
  PETITIONS FOR REHEARING CASES NONE
  Cases would have been investigated by
  Appeals Division staff. The Board will be
  presented recommendations by Appeals
  Division staff for final decision on each
  request.

(Request to File Charges Case)

TIMOTHY BOGGS, CASE NO. 03-0618 Classification: A committed offender housed at Atascadero State Hospital

20. PSYCHOLOGICAL SCREENING CASES

Cases would have been reviewed by Appeals
Division staff, but no hearing was held. It
is anticipated that the Board will act on
these proposals without a hearing.

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LANCE BREWER, CASE NO. 03-2293 Classification: Correctional Officer Department of Corrections

CHRIS CLARK, CASE NO. 03-2320 Classification: Cadet, CHP California Highway Patrol

JAMES HARDING, CASE NO. 03-2480 Classification: Correctional Officer Department of Corrections

DAVID MORALES, CASE NO. 03-1530 Classification: Correctional Officer Department of Corrections

JEFFREY PICCININI, CASE NO. 03-2316 Classification: Cadet, CHP California Highway Patrol

KENNETH PIERRE, CASE NO. 03-1017 Classification: Correctional Officer Department of Corrections

#### 21. NON-HEARING CALENDAR

The following proposals are made to the State Personnel Board by either the Board staff or Department of Personnel Administration staff. It is anticipated that the Board will act on these proposals without a hearing.

Anyone with concerns or opposition to any of these proposals should submit a written notice to the Executive Officer clearly stating the nature of the concern or opposition. Such notice should explain how the issue in dispute is a merit employment matter within the Board's scope of authority as set forth in the State Civil Service Act (Government Code Section 18500 et seq.) and Article VII, California Constitution. Matters within the Board's scope of authority include, but are not limited to, personnel selection, employee status, discrimination and affirmative action. Matters outside the Board's scope of authority include, but are not limited to, compensation, employee benefits, position allocation, and

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organization structure. Such notice must be received not later than close of business on the Wednesday before the Board meeting at which the proposal is scheduled. Such notice from an exclusive bargaining representative will not be entertained after this deadline, provided the representative has received advance notice of the classification proposal pursuant to the applicable memorandum of understanding. In investigating matters outlined above, the Executive Officer shall act as the Board's authorized representative and recommend the Board either act on the proposals as submitted without a hearing or schedule the items for a hearing, including a staff recommendation on resolution of the merit issues in dispute.

NONE PRESENATED

- 22. STAFF CALENDAR ITEMS FOR BOARD INFORMATION NONE PRESENTED
- 23. CAREER EXECUTIVE ASSIGNMENT (CEA) CATEGORY ACTIVITY

This section of the Agenda serves to inform interested individuals and departments of proposed and approved CEA position actions.

The first section lists position actions that have been proposed and are currently under consideration.

Any parties having concerns with the merits of a proposed CEA position action should submit their concerns in writing to the Classification and Compensation Division of the Department of Personnel Administration, the Personnel Resources and Innovation Division of the State Personnel Board, and the department proposing the action.

To assure adequate time to consider objections to a CEA position action, issues should be presented immediately upon receipt of the

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State Personnel Board Agenda in which the proposed position action is noticed as being under consideration, and generally no later than a week to ten days after its publication.

In cases where a merit issue has been raised regarding a proposed CEA position action and the dispute cannot be resolved, a hearing before the five-member Board may be scheduled. If no merit issues are raised regarding a proposed CEA position action, and it is approved by the State Personnel Board, the action becomes effective without further action by the Board.

The second section of this portion of the Agenda reports those position actions that have been approved. They are effective as of the date they were approved by the Executive Officer of the State Personnel Board.

- A. REQUESTS TO ESTABLISH NEW CEA POSITIONS CURRENTLY UNDER CONSIDERATION
  - (1) PRINCIPAL DEPUTY CHIEF LEGISLATIVE COUNSEL II

    The Legislative Counsel Bureau proposes to allocate the above position to the CEA category. The Principal Deputy Legislative Counsel II will manage one of four legal divisions within the Legislative Counsel Bureau providing professional legal services for members of the California Legislature.
  - (2) DEPUTY DIRECTOR, FINANCIAL

    ASSISTANCE, WATER RIGHTS AND
    ADMINISTRATION

    The State Water Resources Control
    Board proposes to allocate the
    above position to the CEA category.
    The Deputy Director, Financial
    Assistance, Water Rights and
    Administration services as the
    principal policy advisor to the
    Executive Director in matters

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> regarding the State Water Resources Control Board's Financial Assistance, Water Rights and Administration programs.

- B. EXECUTIVE OFFICER DECISIONS REGARDING REQUESTS TO ESTABLISH NEW CEA POSITIONS
  - (1) CHIEF, ENTERPRISE BUSINESS AND STRATEGIC PLANNING OFFICE
    The Department of Water Resources request to establish the above position to the CEA category has been approved effective August 25,2003.
- 24. WRITTEN STAFF REPORT FOR BOARD INFORMATION NONE PRESENTED
- 25. PRESENTATION OF EMERGENCY ITEMS AS NECESSARY

ADJOURNMENT

#### SUBMITTED

- 1. TEACHER STATE HOSPITAL (SEVERLY), ETC. Departments of Mental Health and Developmental Services. (Hearing held December 3, 2002).
- 2. VOCATIONAL INSTRUCTOR (SAFETY) (VARIOUS SPECIALTIES).

  Departments of Mental Health and Developmental Services.

  (Hearing held December 3, 2002).
- 3. ANSWERS OR APPEALS FILED WITH STATE PERSONNEL BOARD State Personnel Board (SPB) staff is proposing to adopt new Rule 63 to require, in part, that answers or appeals filed with SPB, requesting that a hearing or investigation be conducted by SPB, notify the responding party of all planned affirmative defenses and requests for relief. (Hearing held February 3, 2003).
- 4. TELEVISION SPECIALIST (SAFETY)
  The Department of Corrections proposes to establish the new classification Television Specialist (Safety) by using the existing Television Specialist class specification and adding "Safety" as a parenthetical to recognize the public aspect of their job, additional language will be added to the Typical Tasks section of the class specification and a Special Physical Characteristics section will be added. (Presented to Board March 4, 2003).
- 5. JOHN HUGHES, CASE NO. 01-4078. Appeal from ten-percent reduction in salary for 12 months. Department of Corrections. (Oral argument held April 8, 2003).
- 6. DEBORAH WHITE-SANBORN, CASE NO. 02-1155P. Appeal from dismissal. Department of Developmental Services. (Oral argument held May 6, 2003).
- 7. RICHARD SINCLAIR, CASE NO. 01-3902. Appeal from 60-calendar day suspension. Department of Corrections. (Oral argument held May 6, 2003).
- 8. LAWRENCE SCHAEFER, CASE NO. 02-0079. Appeal from 60 calendar days suspension and position reassignment. HARRY MILLER, CASE NO. 02-0160. Appeal from demotion and position reassignment. Department of Corrections. (Hearing held June 3, 2003).

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- 9. STATE PERSONNEL BOARD POLICY ON RECRUITMENT AND OUTREACH AND AMENDMENT TO SECTION 50 IN TITLE 2 OF THE CALIFORNIA CODE OF REGULATIONS. (Hearing held September 9, 2003).
- 10. BENJAMIN JOHNSON, CASE NO. 02-2700. Appeal from five-percent reduction in salary for six months. Department of Corrections. (Written testimony presented to Board September 9, 2003).
- 11. ROBERT GREER, CASE NO. 02-3624. Appeal from dismissal. Department of Corrections. (Administrative Law Judge's proposed decision presented to Board September 9, 2003).

#### NOTICE OF GOVERNMENT CODE § 18671.1 RESOLUTION

Since Government Code section 18671.1 requires that cases pending before State Personnel Board Administrative Law Judges (ALJ's) be completed within six months or no later than 90 days after submission of a case, whichever is first, absent the publication of substantial reasons for needing an additional 45 days, the Board hereby publishes its substantial reasons for the need for the 45-day extension for some of the cases now pending before it for decision.

An additional 45 days may be required in cases that require multiple days of hearings, that have been delayed by unusual circumstances, or that involve any delay generated by either party (including, but not limited to, submission of written briefs, requests for settlement conferences, continuances, discovery disputes, pre-hearing motions). In such cases, six months may be inadequate for the ALJ to hear the entire case, prepare a proposed decision containing the detailed factual and legal analysis required by law, and for the State Personnel Board to review the decision and adopt, modify or reject the proposed decision within the time limitations of the statute.

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Therefore, at its next meeting, the Board will issue the attached resolution extending the time limitation by 45 days for all cases that meet the above criteria, and that have been before the Board for less than six months as of the date of the Board meeting.

#### GOVERNMENT CODE § 18671.1 RESOLUTION

WHEREAS, Section 18671.1 provides that, absent waiver by the appellant, the time period in which the Board must render its decision on a petition pending before it shall not exceed six months from the date the petition was filed or 90 days from the date of submission; and

WHEREAS, Section 18671.1 also provides for an extension of the time limitations by 45 additional days if the Board publishes substantial reasons for the need for the extension in its calendar prior to the conclusion of the six-month period; and

WHEREAS, the Agenda for the instant Board meeting included an item titled "Notice of Government Code § 18671.1 Resolution" which sets forth substantial reasons for utilizing that 45-day extension to extend the time to decide particular cases pending before the Board;

WHEREAS, there are currently pending before the Board cases that have required multiple days of hearing and/or that have been delayed by unusual circumstances or by acts or omissions of the parties themselves;

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that the time limitations set forth in Government Code section 18671.1 are hereby extended an additional 45 days for all cases that have required multiple days of hearing or that have been delayed by acts or omissions of the parties or by unusual circumstances and that have been pending before the Board for less than six months as of the date this resolution is adopted.

\* \* \* \* \*



### California State Personnel Board

GRAY DAVIS, Governor

801 Capitol Mall • Sacramento, California 95814 • www.spb.ca.gov



(Cal. 9/23/03)

TO:

Members

State Personnel Board

FROM:

State Personnel Board - Legislative Office

SUBJECT: LEGISLATION

The status of major legislation being followed for impact on Board programs and the general administration of the State Civil Service Merit System is detailed in the attached report. Any legislative action that takes place after the printing of this report, which requires discussion with the Board, will be covered during the Board meeting.

Please contact me directly should you have any questions or comments regarding this report or any other bills that you may have an interest in. I can be reached at (916) 653-0453.

Sherry Hicks

Director of Legis

Attachment

LEGISLATIVE REPORT #14 FOR 2003-2004 SESSION

Status as of September 11, 2003

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MBLY POLICY COMMITTEE	ASSE	A	٧	A	∢	∢
ASSEMBLY BILLS	SUBJECT	AB 25, with certain exceptions, require state agencies to accept as valid identification of a person, a photo identification card issued by another nation to its citizens or nationals	This bill would clarify and expand the legal protections of the Fair Employment and Housing Act (FEHA) by specifying that employers may be liable for harassment committed against their employees by non-employees, if the employer knew or should have known of the harassment and failed to take immediate and appropriate corrective action to stop the harassment.	AB 79 would suspend requirements for state departments and local agencies to prepare and submit various reports to the Legislature or the Governor until January 1, 2008.	AB 159 allows state employees who have been disciplined by their appointing powers to split their causes of action and have two separate trials; one before the State Personnel Board (SPB) and the second before an arbitrator or state or federal court to review discrimination cases that could have been, but were not released during the disciplinary appeal before SPB.	AB 196 would amend the Fair Employment and Housing Act (FEHA) to add "gender" to the list of classes protected by FEHA's anti-discrimination provisions by including gender as defined in the California Penal Code Section 422.76 in the FEHA definition of "sex". Gender is defined in the cited Penal Code section to include not only the individual's actual sex, but also his/her perceived sex based on identity, appearance or behavior.
	BOARD POSITION	NEUTRAL	SUPPORT	NEUTRAL	NEUTRAL	NEUTRAL
	BILL/ AUTHOR	AB 25 Nunez	AB 76 Corbett	AB 79 Dutra	AB 159 Jerome Horton	AB 196 Leno

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ABLY POLICY COMMITTEE	ASSE	٧	Α	Ь	∢	∢
ASSEMBLY BILLS	SUBJECT	AB 268 would amend the Government Code to add training in employment law relating to persons with disabilities as part of the current 80 hours of required training for new supervisors.	AB 292 proposes to add language to fourteen different California Codes to prohibit the use of children as interpreters for any state or local government agency, or a public or private agency, or a public or private agency, or program that is supported by state funding.	AB 318 would require state entities to provide the Legislature with an annual financial activities report using certain baseline budget data to help with the budget process.	This bill would require the State Personnel Board (SPB) to adopt a regulation that would provide for blanket waivers (subject to standards determined by the Board), which would allow an employee who has been dismissed from State service to compete in any future State civil service examination; and would require providing dismissed employees with written notification explaining the effect of dismissal and the process by which a dismissed employee can compete in civil service examinations.	AB 703 would define "racial discrimination" and "discrimination on the basis of race" as having the same meaning as the definition contained in the <i>International Convention on the Elimination of All Forms of Racial Discrimination</i> for purposes of interpreting the provisions of Section 31 of Article I of the California Constitution. In doing this, the bill would allow special measures be taken for the "adequate advancement" of racial groups requiring protection.
·	BOARD POSITION	SUPPORT	SUPPORT	OPPOSE	SUPPORT	NEUTRAL
	BILL/ AUTHOR	AB 268 Mullin	AB 292 Yee	AB 318 Haynes	AB 577 Horton	AB 703 Dymally

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MBLY POLICY COMMITTEE	ASSEI	A	A	А	۵	۵	A
ASSEMBLY BILLS	SUBJECT	AB 1209 would amend Government Code section 11126 to clarify and make permanent existing provisions that authorize state bodies to hold closed sessions to consider matters posing a threat of criminal or terrorist activity against state buildings or property.	This bill would clarify state law prohibiting discrimination and harassment based on sex by providing that an employer who grants an employment opportunity or benefit to an employee who has submitted to that employer's sexual advances or requests for sexual favors, may be liable for sex discrimination against other qualified bersons who were denied the employment opportunity or benefit.	AB 1374 would authorize any State agency, subject to approval by the Department of General Services, to enter into a contract to furnish services to, or perform work for, a local government agency.	AB 1451 would provide that if by midnight of June 30, the Legislature fails to pass the Budget Bill for the ensuing fiscal year, amounts equal to one-sixth of the amounts appropriated by each of the items of appropriation in the budget Act for the current fiscal year be used to cover expenses.	AB 1617 would amend the Fair Employment and Housing Act (FEHA) to add criteria for evaluating whether an employer meets the current legal requirement to take "all reasonable steps" to prevent employment harassment based on protected group.	AB 1669 revises the education requirements for physicians and psychologists who perform fitness for duty evaluations and preemployment screening for peace officers.
·	BOARD POSITION	NEUTRAL	NO POSITION	SUPPORT	SUPPORT	NEUTRAL	SUPPORT
	BILL/ AUTHOR	AB 1209 Nakano	AB 1229 Simitian	AB 1374 Daucher	AB 1451 Wyland	AB 1617 Montanez	AB 1669

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NBLY FISCAL COMMITTEE	ASSE	٧	2 year bill	∢	∢
MBLY POLICY COMMITTEE	ASSEN	٧	А	٧	∢
SENATE BILLS	SUBJECT	This bill proposes to amend the California Constitution as it relates to public meetings and access to documents	SB 69, this bill would, among other things, require individuals who believe that public accommodations or public housings that do not meet the requirements for disability access to request voluntary changes before a lawsuit can be brought forth.	SB 99 authorizes the Legislative Counsel Bureau (LCB) to consolidate its information technology (IT) classes into nontraditional "band" classes and salary ranges. Additionally, this bill authorizes LCB to test for these IT classes on an individual position basis, as opposed to the traditional approach of testing by broad job classification.	SB 434 provides that, at the request of a prosecuting attorney or the Attorney General, the head of every state department may assist in conducting investigations of matters of unlawful activity under the department's jurisdiction. It also makes various changes to the manner in which such investigations are conducted and the scope of the investigating department's powers.
	BOARD POSITION	NEUTRAL	NEUTRAL	SUPPORT	SUPPORT
	BILL/ AUTHOR	SCA 1 Burton	SB 69 Oller	SB 99 Burton	SB 434 Escutia

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